

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Valerian A. Karlski
Renee J. Karlski
fka Renee J. Agostini
Debtor(s)**

Bankruptcy Case No.: 15-24514-GLT
Issued Per 9/26/2019 Proceeding
Chapter: 13
Docket No.: 168 – 163
Concil. Conf.: September 26, 2019 at 09:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 15, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- B. The length of the Plan is increased to a total of 45 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Sep. 26, 2019 at 09:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- H. Additional Terms: Debtor's to resume long term debts beginning 11/19.

Trustee is to pay counsel fees to the extent possible with available funds on hand.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

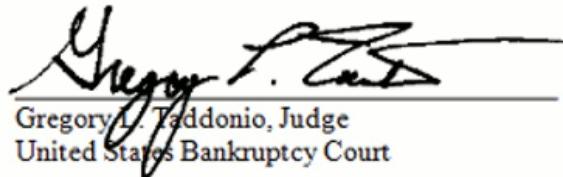
B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

- A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
- B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
- C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
- D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
- E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.
- F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any *secured claim* that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory L. Taddonio, Judge
United States Bankruptcy Court

Dated: September 26, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
 Valerian A. Karlski
 Renee J. Karlski
 Debtors

Case No. 15-24514-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

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 Total Noticed: 43

Date Rcvd: Sep 26, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 28, 2019.

db/jdb +Valerian A. Karlski, Renee J. Karlski, PO Box 89, Monessen, PA 15062-0089
 cr +American Honda Finance Corporation d/b/a Honda Fin, 3625 W. Royal Lane #200,
 Irving, TX 75063-2912
 cr +Honda Financial Services dba American Honda Financ, 3625 W. Royal Lane #200,
 Irving, TX 75063-2912
 cr +Peoples Natural Gas Company, LLC, Attn: Dawn Lindner, 225 North Shore Drive,
 Pittsburgh, PA 15212-5860
 14150130 ++AMERICAN HONDA FINANCE, P O BOX 168088, IRVING TX 75016-8088
 (address filed with court: American Honda Finance Corporation, 201 Little Falls Drive,
 Wilmington, DE 19808)
 14150132 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 15019, Wilmington, DE 19886)
 14150133 +Barclays Bank of Delaware, 700 Prides Crossing, Newark, DE 19713-6102
 14150137 +Chase Bank USA, PO Box 15298, Wilmington, DE 19850-5298
 14150138 +Chase Mortgage, PO Box 24696, Columbus, OH 43224-0696
 14150139 +Chase/WAMU, PO Box 15298, Wilmington, DE 19850-5298
 14150140 +Collection Service Center, PO Box 560, New Kensington, PA 15068-0560
 14150142 +Credit Management Company, 681 Anderson Dr., Foster Plaza 6, Pittsburgh, PA 15220-2766
 14204520 ECAST SETTLEMENT CORPORATION, PO BOX 29262, NEW YORK, NY 10087-9262
 14161999 +First Commonwealth Bank, c/o Roger P. Poorman, Esquire, McGrath McCall, P.C.,
 Three Gateway Center, Suite 1375, 401 Liberty Avenue, Pittsburgh, PA 15222-1000
 14161036 +Greensburg Central Catholic High School, 911 Armory Drive, Greensburg, PA 15601-5209
 14423223 +JPMorgan Chase Bank, National Association, c/o Chase Records Center,
 Attn: Correspondence Mail, Mail Code LA4-5555, 700 Kansas Lane, Monroe, LA 71203-4774
 14150147 +JRMC Diagnostic Servicess LLC, 495 Waterfront Drive East, Homestead, PA 15120-1140
 14187174 +Midland Credit Management, Inc. as agent for, MIDLAND FUNDING LLC, PO Box 2011,
 Warren, MI 48090-2011
 14174102 Nissan-Infiniti LT, PO Box 660366 Dallas TX 75266-0366
 14163644 ++PERI GARITE, ATTN CARD WORKS, 101 CROSSWAYS PARK DR W, WOODBURY NY 11797-2020
 (address filed with court: First National Bank of Omaha, 1620 Dodge Street, Stop Code 3105,
 Omaha, NE 68197)
 14150151 +PNC Bank, PO Box 3180, Pittsburgh, PA 15230-3180
 14372519 +Pacific Union Financial, LLC, 1603 LBJ Freeway, Ste 500, Farmers Branch, TX 75234-6071
 14150152 +Premier Medical Associates, PO Box 643773, Pittsburgh, PA 15264-3773
 14150153 ++REMIT CORPORATION, P O BOX 7, BLOOMSBURG PA 17815-0007
 (address filed with court: Remit Corporation, 36 West Main Street, P.O. Box 7,
 Bloomsburg, PA 17815)
 14150156 +Universal CD/CNBA, PO Box 6241, IBS CDV Disputes, Sioux Falls, SD 57117-6241
 14150157 Valley First Community FCU, 815819 Schoonmaker Avenue, Monessen, PA 15062

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14161035 +E-mail/Text: g20956@att.com Sep 27 2019 02:46:51 AT&T, PO Box 6416,
 Carol Stream, IL 60197-6416
 14158241 E-mail/PDF: EBN_AIS@AMERICANINFO SOURCE.COM Sep 27 2019 03:02:53
 American InfoSource LP as agent for, T Mobile/T-Mobile USA Inc, PO Box 248848,
 Oklahoma City, OK 73124-8848
 14150135 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 27 2019 03:02:18 Capital One,
 PO Box 30281, Salt Lake City, UT 84130-0281
 14150134 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 27 2019 03:01:24 Capital One,
 PO Box 30253, Salt Lake City, UT 84130-0253
 14150136 +E-mail/Text: bankruptcy@cavps.com Sep 27 2019 02:46:43 Cavalry Portfolio Services,
 500 Summit Lake Drive, Suite 4A, Valhalla, NY 10595-2323
 14150305 +E-mail/Text: bankruptcy@cavps.com Sep 27 2019 02:46:43 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 14200252 +E-mail/Text: bncmail@w-legal.com Sep 27 2019 02:46:34 Cerastes, LLC,
 C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 14150141 +E-mail/Text: bdssupport@creditmanagementcompany.com Sep 27 2019 02:46:47
 Credit Management Company, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
 14150143 E-mail/Text: mrdiscen@discover.com Sep 27 2019 02:45:35 Discover Bank, PO Box 15316,
 Wilmington, DE 19850
 14152479 E-mail/Text: mrdiscen@discover.com Sep 27 2019 02:45:35 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14150144 +E-mail/Text: bankruptcynotices@dcicollect.com Sep 27 2019 02:46:50 Diversified Consultants,
 10550 Deerwood Park Blvd, Suite 309, Jacksonville, FL 32256-2805
 14150145 +E-mail/Text: bankruptcynotice@fcbanking.com Sep 27 2019 02:45:37 First Commonwealth Bank,
 601 Philadelphia Street, Indiana, PA 15701-3952
 14150148 +E-mail/PDF: resurgentbknotifications@resurgent.com Sep 27 2019 03:00:47 LVNV Funding, LLC,
 PO Box 10497, Greenville, SC 29603-0497
 14152624 E-mail/PDF: resurgentbknotifications@resurgent.com Sep 27 2019 03:01:39
 LVNV Funding, LLC its successors and assigns as, assignee of Citibank (South Dakota),,
 N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14150149 +E-mail/Text: bankruptcypdt@mcmc.com Sep 27 2019 02:46:20 Midland Credit Management,
 8875 Aero Dr. Ste. 200, San Diego, CA 92123-2255

District/off: 0315-2

User: dbas
Form ID: 149

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Total Noticed: 43

Date Rcvd: Sep 26, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

14150154 +E-mail/PDF: gecsed@recoverycorp.com Sep 27 2019 02:48:24 Synchrony Bank/Walmart,
OI /bix 965024, Orlando, FL 32896-0001
14150155 E-mail/PDF: ais.tmobile.ebn@americaninfosource.com Sep 27 2019 02:49:04 T-Mobile,
POBox 742596, Cincinnati, OH 45274-2596

TOTAL: 17

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr JPMorgan Chase Bank, National Association
cr Pacific Union Financial LLC
14150131* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank of America, PO Box 982235, El Paso, TX 79998)
14150150* +Midland Credit Management, 8875 Aero Drive, Suite 200, San Diego, CA 92123-2255
14150146* ++PERI GARITE, ATTN CARD WORKS, 101 CROSSWAYS PARK DR W, WOODBURY NY 11797-2020
(address filed with court: First National Bank of Omaha, PO Box 3412, Omaha, NE 68103)
cr ##+First Commonwealth Bank, c/o McGrath McCall, P.C., Three Gateway Center, Suite 1375,
401 Liberty Avenue, Pittsburgh, PA 15222-1004

TOTALS: 2, * 3, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 28, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 26, 2019 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor JPMorgan Chase Bank, National Association
andygornall@latouflawfirm.com
Brian C. Thompson on behalf of Plaintiff Valerian A. Karlski bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@t
hompsonattorney.com;bwamsley@thompsonattorney.com;mswenson@thompsonattorney.com
Brian C. Thompson on behalf of Debtor Valerian A. Karlski bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@t
hompsonattorney.com;bwamsley@thompsonattorney.com;mswenson@thompsonattorney.com
Brian C. Thompson on behalf of Joint Debtor Renee J. Karlski bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@t
hompsonattorney.com;bwamsley@thompsonattorney.com;mswenson@thompsonattorney.com
Brian C. Thompson on behalf of Plaintiff Renee J. Karlski bthompson@ThompsonAttorney.com,
blemon@thompsonattorney.com;mgillespie@thompsonattorney.com;bthompson@ecf.courtdrive.com;jgorze@t
hompsonattorney.com;bwamsley@thompsonattorney.com;mswenson@thompsonattorney.com
James Warmbrodt on behalf of Creditor Pacific Union Financial LLC bkgroup@kmllawgroup.com
James Warmbrodt on behalf of Creditor JPMorgan Chase Bank, National Association
bkgroup@kmllawgroup.com
Luke A. Sizemore on behalf of Creditor JPMorgan Chase Bank, National Association
lsizemore@reedsmith.com, slucas@reedsmith.com;bankruptcy-2628@ecf.pacerpro.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Roger P. Poorman on behalf of Creditor First Commonwealth Bank rpoorman@lenderlaw.com,
sdorn@lenderlaw.com
Roger P. Poorman on behalf of Defendant First Commonwealth Bank rpoorman@lenderlaw.com,
sdorn@lenderlaw.com
Ronda J. Winnecour cmecf@chapter13trusteeewda.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company, LLC sjw@sjwpgh.com,
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

District/off: 0315-2

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

William E. Craig on behalf of Creditor American Honda Finance Corporation d/b/a Honda
Financial Services, Administrator for Honda Lease Trust ecfmail@mortoncraig.com,
mhazlett@mortoncraig.com;mortoncraigecf@gmail.com
William E. Craig on behalf of Creditor Honda Financial Services dba American Honda Finance
Corporation ecfmail@mortoncraig.com, mhazlett@mortoncraig.com;mortoncraigecf@gmail.com
TOTAL: 15